

# PROPOSED CONSTITUTIONAL AMENDMENTS

## HOUSE JOINT RESOLUTIONS

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### H.J.R. No. 6

#### A JOINT RESOLUTION

proposing a constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Article I, Texas Constitution, is amended by amending Section 11b and adding Section 11c to read as follows:

Sec. 11b. Any person *who is accused in this state* of a felony or an offense involving family violence, ~~[in this state]~~ who is released on bail pending trial, and whose bail is subsequently revoked or forfeited for a violation of a condition of release may be denied bail pending trial if ~~[on a determination by]~~ a ~~[district]~~ judge or magistrate in this state ~~determines by a preponderance of the evidence[,]~~ at a subsequent hearing ~~[to set or reinstate bail,]~~ that the person violated a condition of release related to the safety of a victim of the alleged offense or to the safety of the community.

Sec. 11c. *The legislature by general law may provide that any person who violates an order for emergency protection issued by a judge or magistrate after an arrest for an offense involving family violence or who violates an active protective order rendered by a court in a family violence case, including a temporary ex parte order that has been served on the person, or who engages in conduct that constitutes an offense involving the violation of an order described by this section may be taken into custody and, pending trial or other court proceedings, denied release on bail if following a hearing a judge or magistrate in this state determines by a preponderance of the evidence that the person violated the order or engaged in the conduct constituting the offense.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2007. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case."

Passed by the House on May 3, 2007: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate on May 23, 2007: Yeas 31, Nays 0.

Filed with the Secretary of State, May 29, 2007.

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### H.J.R. No. 19

#### A JOINT RESOLUTION

proposing a constitutional amendment to require each house of the legislature to take a record vote on final passage of a bill other than certain local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other nonceremonial resolution, and to publish the record vote on the Internet.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Section 12, Article III, Texas Constitution, is amended to read as follows:

Sec. 12. (a) Each house of the legislature ~~[House]~~ shall keep a journal of its proceedings, and publish the same.